

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

NCS MULTISTAGE INC.,  
NCS MULTISTAGE, LLC,

Plaintiffs,

v.

NINE ENERGY SERVICE, INC.,

Defendant.

CIVIL ACTION NO. 6:20-CV-00277-ADA

**JURY TRIAL DEMANDED**

**DEFENDANT NINE ENERGY SERVICE, INC.’S NOTICE OF WITHDRAWAL OF  
MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT AND  
NO CONDUCT WARRANTING ENHANCED DAMAGES (DKT. 114)**

Defendant Nine Energy Service, Inc. (“Nine”) hereby withdraws its Motion for Summary Judgment of No Willful Infringement and No Conduct Warranting Enhanced Damages (Dkt. 114) (“Motion”).

On October 8, 2021, Nine filed a Motion for Summary Judgement of No Willful Infringement and No Conduct Warranting Enhanced Damages (Dkt. 114). Thereafter, Plaintiffs NCS Multistage Inc. and NCS Multistage, LLC (collectively, “NCS”) notified Nine that they are voluntarily dismissing with prejudice their claims for willful infringement and enhanced damages, and the parties have filed a joint Stipulation of Dismissal of Certain Claims Pursuant to Rule 41(a)(1)(A)(ii) (Dkt. 143), formally dismissing those claims.

WHEREFORE, Nine respectfully notifies the Court of its withdrawal of its Motion. Nine’s counsel conferred with NCS’s counsel regarding the withdrawal of the Motion; NCS does not oppose this withdrawal.

Dated: October 14, 2021

Respectfully submitted,

VINSON & ELKINS LLP

/s/ Hilary L. Preston

Hilary L. Preston

Texas Bar No. 24062946

hpreston@velaw.com

Jeffrey T. Han

Texas Bar No. 24069870

jhan@velaw.com

VINSON & ELKINS L.L.P.

2801 Via Fortuna, Suite 100

Austin, TX 78746

Telephone: +1.512.542.8400

Fax: +1.512.542.8612

Parker D. Hancock

Texas Bar No. 24108256

phancock@velaw.com

VINSON & ELKINS L.L.P.

1001 Fannin Street, Suite 2500

Houston, TX 77002-6760

Telephone: +1.713.758.2222

Fax: +1.713.758.2346

***Attorneys for Defendant Nine Energy  
Service, Inc.***

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of October, 2021, a true and correct copy of the foregoing document was served on all counsel of record via the Court's CM/ECF system.

/s/ Jeffrey T. Han

Jeffrey T. Han